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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/249,597

02/12/1999

ANDREW P. DOVE

06005/35169

1127

7590

10/01/2004

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EXAMINER

WU, XIAO MIN

ART UNIT

PAPER NUMBER

2674

21

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/249,597

Applicant(s)

DOVE ET AL.

Examiner

XIAO M. WU

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-66 is/are pending in the application.
- 4a) Of the above claim(s) 31-37, 40, 45, 50, 63 and 66 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 38, 39, 41-44, 46-49, 51-54, 60-62, 64 and 65 is/are allowed.
- 6) ☒ Claim(s) 13-30 and 55-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 14, 17, 19, 20.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn as indicated in the previous advisory action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 13-30 and 55-59 are rejected under 35 U.S.C. 102(a) as being anticipated by Bauer et al. (A Collaborative Wearable System with Remote Sensing).

As to claims 13, 24, Bauer discloses a wearable computer for user in a process control environment having a process control system including a plurality of process control devices (e.g. computers , routers, network outlets) disposed within the process, the wearable computer comprising: a processing unit (page 13, section 4.1, paragraph 1); a memory; an imaging device (e.g. video camera, scanner sensors) that produces an image signal; an image processor that processes the image signal to identify one of the devices based on a device features (see page 14, sections 4.2); and a soft routine (see page 14, section 4.3) stored in the memory and adapted to be executed one the processing unit to provide process information generated by one or more of the plurality of process control devices during operation of the process (e.g. Bauer discloses an a

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sensor is a scanner for electronic equipment tags as an object identity to attached to the computer equipment objects, Bauer further discloses a sensor is a packet sniffer, a device that plugs into the network outlets and allows technicians to analyze network packets).

As to claims 14, 25, Bauer discloses a heads up display unit coupled to the image processor that display information pertaining to the identified device on the heads up display (e.g. the user can view the object information when the object is being scanned or plug-in).

As to claim 15, Bauer discloses the information is diagnostic information related to the identified device (e.g. analyze network packets).

As to claim 16, Bauer discloses the help information related to the identified device (e.g. the object location or types).

As to claims 17, 26, Bauer discloses a remote communication device that communicates with the process control system such as the expert in a remote location.

As to claim s18, 27, Bauer discloses using camera to grab an image frame.

As to claims 19, 20, 28, 29, Bauer discloses an optical character recognition device such as an optical scanner.

As to claims 21-23, 30, Bauer discloses voice recognition unit and a microphone (see page 15, section 5).

As to claims 55-59, Bauer discloses that the person in the field can communicate with the expert in the office by video image such as the map application which is a shared-window application. For example, the symbols in the map represent various types of network equipment. The network sockets are indicated by stars. Both users can select symbols to indicate which particular piece of equipment they are referring to. Objects can be selected by either scanning

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the iButton tag attached to a device in the real word, or by clicking on the symbol on the screen. The selections of the local and remote user are indicated by colors; the object that was selected or scanned by the local user is indicated by the color gray, whereas the selection of the remote user is displayed in black. Additional information about the selected devices is displayed in the text fields at the bottom of the screen. In other words, the local user and the remote user can both modified the image and sent to each other to view the information he is selected.

Allowable Subject Matter

3. Claims 38-39, 41-44, 46-49, 51-54, 60-62, 64 and 65 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Shalwala Bipin**, can be reached on (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw
September 30, 2004


XIAO WU
PRIMARY EXAMINER
ART UNIT 2674